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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: To Be Assigned
Filing Date: To Be Assigned
Applicant: Pangerc et al
Group Art Unit: To Be Assigned
Examiner: To Be Assigned
Title: STORAGE CONTAINER
Attorney Docket: 0275Y-000357

jc903 U.S. PTO
09/840278
04/23/01

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION

The patents, publications and other information submitted for consideration by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. COPIES

A. X Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B. Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

U.S. Filing Date

C. ____ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form-1449 for consideration by the Examiner and for listing on any patent resulting from this application. Since the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g))

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. ____ Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. X A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

DT 1814157 appears to show a container with a system of inner partitions which may be manufactured of plastic materials by injection molding. The bottom wall of the container comprises holes into which knobs (21) provided at the bottom ends of partition elements (Figs. 2-5) are inserted. The partition elements comprise grooves for inserting wall elements (26 in Fig. 8).

DT 2149305 appears to show a locking mechanism for a container having a container bottom (1) and a container lid (2). The locking mechanism comprises a slider element (7) provided in a lower section (5) of the locking mechanism mounted on the container bottom (1), and an upper section (4) of the locking mechanism provided on the container lid (2) and having a locking hook (3).

DE 3150873A1 appears to show a container having two container elements (1, 2) connected by a hinge arrangement (6, 7, 8). In the embodiment of Figure 11, a hinge portion (40, 41, 42) seems to be shown which comprises outer sections (40, 42) open to the upper side and a central section (41) open to the rear side.

DE 3714789C2 appears to show a molded plastic container which comprises column- or pin-like supports (28) of hollow frusto-conical shape in the corners formed by the inner walls (15) of the bottom part (17) and the lid part (18).

G 8500645.9 appears to show a container having two identical container halves (10) of plastic material connected through a hinge incorporating hinge portions formed by open sections (23) into which a corresponding rod (26) is snapped. A cover plate (50) may be connected to the hinge arrangement by means of its hinge elements (52) which are snapped onto the free portion of a hinge pin (48) also provided in the hinge arrangement. A slider (38) mounted on each of the halves can be laterally displaced into locking engagement with a locking member (34) on the other half.

G 8515834.8 appears to show a tool kit or box having a lid (D) pivotably connected to the bottom container section (U) through a hinge arrangement (24, 26). Locking can be effected by a latch slider (8) provided within the handle opening of the lid (D) on a rib (9 in Figure 6) which has a dowtail cross-section. A correspondingly shaped rib (10 in Figure 5) is provided on the bottom container section (U) and the latch slider (8) can be moved into engagement therewith to lock the container.

G8602551.1 appears to show a suitcase having projections (6) in the bottom wall of the lower half and recesses (8) of the upper half which permit stacking of a plurality of such suitcases.

G8814319.8 appears to show a container, in particular for first aid articles. Partition walls (24, 25) can be selectively positioned by means of positioning elements (11 in Figures 5 and 6) which are inserted into positioning holes (9) of lateral walls and close the 90° corners at least in the area of the holes.

G8906411.9 appears to show a kit or suitcase having cover plates (14, 15) coupled with the hinge arrangement for the main sections (2, 3) of the kit or suitcase.

G8907073.9 appears to show a system for forming storage chambers on a base plate (2) having a pattern of holes into which vertical columns (4) can be inserted which form slots for receiving partition walls (17).

G9312160.1 appears to show a toolbox or kit with a pivotable lid (2) having at its upper side a label or the like bonded thereto. The lid (2) comprises a plurality of projections (6) at its upper side (4) which enclose a plane receiving space (7) for the label (K).

DE29517259U1 appears to show a double tool case which, comprises a large container (10) with two cover elements (11), each having a plurality of recesses (12) for receiving tools or tool elements as well as a flange (13) at their inner sides. A smaller container (20) has two cover elements, both comprising recesses (21) for receiving tools or tool elements.

DE29702619U1 appears to show a suitcase having a variable volume, which suitcase comprises a main portion (10) of two stable frame halves (20, 30) connected by a hinge arrangement wherein shell-like inserts (41, 42; 51, 52) of different depths can be inserted into the main part (10).

1. ____ See the attached foreign search report.
2. ____ English translations are provided for:
3. ____ Other:

C. ____ The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. ____ The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.

Filing Date

Art Unit

V. THIS IDS IS BEING FILED UNDER

A. X 37 C.F.R. § 1.97(b): (check only one box)

1. X within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.

2. ____ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.

3. ____ before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

4. ____ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. ____ 37 C.F.R. § 1.97(c): (check only one box)

• before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. ____ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

2. ____ See the certification below. No fee is required.

C. ____ 37 C.F.R. § 1.97(d):

- after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. ____ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

A. ____ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)); or

B. ____ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

C. ____ Some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. PAYMENT OF FEES (check only one box)

A. ____ A check in the amount of \$180.00 is enclosed for the above-identified fee.

B. ____ Please charge Deposit Account No. _____ in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 02-2548.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 02-2548.

Respectfully submitted,

Dated: 4-23-2001

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